

**REMARKS**

Applicant thanks the Examiner for the consideration given this case to date and the courtesy of the interview conducted December 13, 2007. Applicant has now had an opportunity to carefully consider the matter, and respectfully submits that the subject application is now in condition for allowance based upon the amendments above and the following remarks.

**Specification**

1. The Office rejected claims 19-22 under 35 U.S.C. § 101 in part because the specification “defined a computer-readable medium to include signals which are not statutory subject matter.” (Office Action, page 8). While not conceding the issue of statutory subject matter, Applicant has amended paragraph [0019] of the specification to remove the term “signals” which is believed to overcome the rejection of claims 19-22 under 35 U.S.C. § 101. The scope of the specification has not been changed, and no new matter has been added.

2. Applicant has corrected the informality in the last line of paragraph [0028] of the specification. The scope of the specification has not been changed. No new matter has been added.

**Claim Objections**

3. All of the informalities in the claims identified by the Examiner have been corrected. The scope of the claims have not been changed since the amendments relate to correcting antecedents, or generally to making grammatical changes. No new matter has been added.

**Double Patenting**

4. The Office rejected claims 1, 11, 14, and 19 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 10, and 12 of U.S. Patent No. 7,171,194; claim 1 of copending Application No. 11/668,247; and claim 12 of copending Application No. 10/779,270. Although Applicant believes that the rejected claims are patentably

distinct over the cited claims, to expedite allowance of this case, Applicant submits herewith terminal disclaimers to overcome these obviousness-type double patenting rejections.

#### **Claim Rejections under 35 U.S.C. § 101**

5. Claims 19-22 were rejected under 35 U.S.C. § 101 as purportedly directed to non-statutory subject matter because the claims were “drawn toward ‘an article of manufacture...’” that “is nothing more than software code as it comprises merely computer executable instructions.” (Office Action, page 7). Applicant has amended claims 19-22 in part to address the rejections of the claims under 35 U.S.C. § 101. Applicant has also amended paragraph [0019] of the specification, as described in Section 1 above, to address the office action’s remaining concerns regarding claims 19-22 non-statutory character under 35 U.S.C. § 101. No new matter has been added.

#### **Claim Rejections under 35 U.S.C. § 102**

6. Claims 1-8 and 10-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 7,155,226 to Oh, et al. Claims 1, 11, 14, 18, 19, 20, 21, and 22 have been amended. The amendments to the claims are fully supported by the specification. No new matter has been added.

7. The claims patentably distinguish over the references of record. For a 35 U.S.C. § 102 reference to anticipate a claim, the reference must teach every element of the claim. Section 2131 of the MPEP recites:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Here, each and every element as set forth in the claims is not found in the cited reference. The claims will be discussed independently.

Independent claim 1

As amended, Claim 1 recites a computer-readable medium configured to store a profile associated with the common address, each profile configured to include at least one record corresponding to the network device, the record including the uncommon address and service data corresponding to at least one service from the plurality of communication services. The Office cites Oh, figure 2, database 42, and Figure 4, profile 102 as teaching “a computer-readable medium configured to store a profile associated with the common address, each profile configured to include at least one record corresponding to at least one of the plurality of network devices, the record including the uncommon address associated with the at least one of the network devices.” (Office Action, page 8). However, the profile of Oh, Figure 4 does not include service data corresponding to at least one service from the plurality of communication services. The subscriber profile of Oh, Figure 4 includes records for (i) ESN, (ii) termination capability of the information mobile station, (iii) an indication of whether the mobile station is currently registered, and (iv) the location of the associated mobile station. (Oh, Figure 4, and Col. 8, lines 29-37). “The ESN... identifies the mobile station as a unique physical device.” (Oh, Col. 1, Lines 17-19). Termination capability refers to “allowing only one of the mobile stations to respond to a MIN-based termination message.” (Oh, Col. 2, Lines 10-11). Indication of registration refers to whether a mobile station has been turned on. (Oh, Col. 9, Lines 4- 51). Location of the associated mobile station refers to “identifying the location (e.g. the identity of the MSC) where the mobile station is operating.” (Oh, Col. 4, Lines 18-20). None of these four records include service data corresponding to at least one service from the plurality of communication services.

Amended Claim 1 further recites managing logic configured to manage the network including changing the record of the network device to assign via the service data at least one selected service from the plurality of communication services to the network device having the uncommon address. The Office cites Oh, Figure 5 and Column 9, lines 4-51 as teaching “logic configured to manage the network including changing the record to correlate services available to the network with particular network devices via the uncommon address.” (Office Action, page 8). Oh does not teach changing the record of the network device to assign via the service data at least one selected service from the

plurality of communication services to the network device having the uncommon address. Oh, figure 5 and the corresponding text in column 9, disclose registration of multiple mobile stations under a common MIN. (Oh, Col. 9, lines 4-6). The text discusses the registration of three mobile stations. Registration involves sending of a registration message from the mobile station to the serving system and from the serving system to the controller. (Oh, Col. 9, lines 6-13). Registration further involves identifying the mobile station by the MIN and ESN, and the MSC by the MSC-ID. Id. The controller in turn looks at the MIN profile to verify that the ESN is listed, and notes in the MIN profile that the mobile station is registered and is located in the system served by the particular MSC. (Oh, Col. 9, lines 13-20). The controller changes the MIN profile to register the mobile station and to indicate the MSC, but it does not change the record of the network device to assign via the service data at least one selected service from the plurality of communication services to the network device having the uncommon address. Id.

As discussed above, the subscriber profile of Oh, figure 4 does not include service data corresponding to at least one service from the plurality of communication services. The record of the network device to assign via the service data at least one selected service from the plurality of communication services to the network device cannot be changed if it does not exist.

Amended Claim 1 further recites service identifying logic configured to correlate and direct communications targeted at the network to the network device based on the service data and a detectable attribute of the communications. Since, the subscriber profile of Oh, Figure 4 does not include service data, Oh cannot have logic configured to correlate and direct communications based on the service data. Moreover, Oh does not teach or suggest any logic to correlate and direct communications based on a detectable attribute of the communications.

For at least these reasons claim 1 as amended is not anticipated by the references of record and is in condition for allowance.

Dependent claims 3, 4, 5, 6, 7, and 9.

Dependent claims 3-7 and 9 depend on claim 1 which has been shown to be not anticipated. Thus, these dependent claims are similarly not anticipated and in condition for allowance.

Independent claim 11

As amended, Claim 11 recites a network device comprising formatting logic configured to format a signaling word including payload data representative of a change request to manage routing of subsequent communications directed generally at the network, to the particular network devices based on the identifiable communications data. The Office cites Oh, column 9, lines 23-25 as disclosing “logic configured to format a signaling word including the uncommon address, and payload data representative of a change request to manage routing of a subsequent communications directed generally to the network, to particular network devices.” (Office Action, page 9). The cited text does not disclose routing of subsequent communications directed generally at the network, to particular network devices based on the identifiable communications data. The cited text discloses an acknowledgement signal to the mobile station for completing the registration process. (Oh, Col. 9, lines 23-25). The text does not discuss routing of subsequent communications.

Oh, column 9, lines 64-66 discusses routing of subsequent communications. The text makes clear that “when a call is placed to the common MIN, only mobile station 14 will respond.” (Oh, Col. 9, lines 64-66). Oh does not disclose routing subsequent communications directed generally at the network, to particular network devices based on the identifiable communications data. It discloses allowing terminations (subsequent communications directed generally at the network) to only one device, one of the mobile stations. (Oh, Col. 1, lines 58-59). In Oh, only one device is allowed to receive and respond to incoming messages. (Oh, Col. 2, lines 8-18). All other devices are blocked or prevented from receiving incoming communications. (Oh, Col. 2, lines 18-28). Therefore, Oh does not disclose basing the routing of subsequent communications directed generally

at the network, to particular network devices on the identifiable communications data. Oh does not even look at the communications data. It bases all routing on which device has been designated to terminate calls. (Oh, Col. 1, lines 58-59, Col. 2, lines 8-29).

For at least these reasons claim 11 is not anticipated and is in condition for allowance.

Dependent claims 12, and 13.

Dependent claims 12-13 depend from claim 11 which has been shown to be not anticipated. Thus, these dependent claims are similarly not anticipated and in condition for allowance.

Independent claim 14

Amended Claim 14 claims a method comprising modifying a computer-readable medium to reflect services associated with the network device. The Office cites Oh, figure 5, steps 70, 76, and 82 as disclosing “modifying a computer-readable medium to reflect desired services relative to the network device.” (Office Action, pages 9-10). The cited steps do not disclose modifying a computer-readable medium to reflect services associated with the network device. Steps 70, 76, and 82 of Oh’s figure 5 disclose noting in the MIN profile that the mobile station is registered and is located in the system served by a particular MSC. (Oh, Col. 9, lines 18-20, lines 31-34, and lines 44-47). The MIN profile is modified during registration to reflect that the mobile station is now registered (it has been turned on) and the location of the mobile station. Id. The profile is not modified to reflect services associated with the network device as claimed in claim 14.

In fact, the MIN profile of Oh, figure 4, includes records for (i) ESN, (ii) termination capability of the information mobile station, (iii) an indication of whether the mobile station is currently registered, and (iv) the location of the associated mobile station (Oh, Figure 4, and Col. 8, lines 29-37), but it does not include a record that reflects services associated with the network

device. Such record cannot be modified if it does not exist.

Moreover, amended claim 14 recites routing subsequent communications directed at the common address to the uncommon address based on the contents of the computer-readable medium and the subsequent communications. The MIN profile of Oh, figure 4 does not include a computer-readable medium that reflects services associated with the network device. It follows that Oh cannot possibly route subsequent communications based on the services if it does not keep record of those services.

Oh, column 9, lines 64-66 discusses routing of subsequent communications. The text makes clear that “when a call is placed to the common MIN, only mobile station 14 will respond.” (Oh, Col. 9, lines 64-66). Oh discloses allowing terminations (subsequent communications directed generally at the network) to only one device, one of the mobile stations. (Oh, Col. 1, lines 58-59). In Oh, only one device is allowed to receive and respond to incoming messages. (Oh, Col. 2, lines 8-18). All other devices are blocked or prevented from receiving incoming communications. (Oh, Col. 2, lines 18-28). Therefore, Oh does not disclose basing the routing of subsequent communications directed at the common address to the uncommon address on the contents of the computer-readable medium and the subsequent communications. Oh does not even look at the subsequent communications. It bases all routing on which device has been designated to terminate calls. (Oh, Col. 1, lines 58-59, Col. 2, lines 8-29).

For at least these reasons claim 14 is not anticipated and is in condition for allowance.

Dependent claims 15-18.

Dependent claims 15-18 depend from claim 14 which has been shown to be not anticipated. Thus, these dependent claims are similarly not anticipated and in condition for allowance.

## Dependent claim 15

Claim 15 recites the method of claim 14 further comprising preparing the inbound signaling word including payload data representative of desired services corresponding to identifiable network devices. The Office cites Oh, column 9, lines 4-11, as teaching the claim feature. (Office Action, page 12). The cited text speaks of a registration message sent by the mobile station to the serving system, identifying the mobile station by its MIN and ESN. (Oh, Col. 9, lines 4-11). However, the cited text makes no mention of whether the registration message includes payload data representative of desired services corresponding to identifiable network devices. In fact, Oh makes it clear that the registration message does not include such data. *Id.* The registration message in Oh only includes the MIN and the ESN. *Id.* The method in Oh cannot identify desired services corresponding to identifiable network devices because it does not keep records of such data in the subscriber profile (Oh, Fig. 4, and Col. 8, lines 29-37), and it does not transmit such data in communications between the network device and the serving system. (Oh, Col. 9, lines 4-11).

For at least these additional reasons claim 15 is not anticipated by the reference and is in condition for allowance.

## Dependent claim 16

Claim 16 claims the method of claim 14 where the modifying comprises designating availability of a service to a device associated with the accessed record. The Office cites Oh, figures 4 and 5 as disclosing the claim feature. (Office Action, page 12). The Office further states that “the type and state fields designate the availability of a service to the device.” *Id.* The type and state fields do not such thing. Oh makes clear that the type field indicates whether the mobile station is arranged to respond to a MIN-based termination message. (Oh, Col. 8, lines 40-44). That is, the type field’s only function is to indicate whether the particular mobile station is set to respond to termination messages. One of the goals of the Oh patent is to “help conserve the quantity of



available MINs.” (Oh, Col. 1, lines 54-58). “This can be accomplished by allowing MIN-based terminations to only one of the mobile stations.” (Oh, Col. 1, lines 58-59). The type field in Oh accomplishes just that and nothing else. It indicates to the rest of the system which one of the mobile stations is the one allowed to respond to MIN-based terminations. (Oh, Col. 8, lines 40-44).

The state field may indicate that a mobile station “is not yet registered (as it has not yet been powered on in a serving system).” (Oh, Col. 8, lines 40-45). That is, the state field’s only function is to indicate whether the particular mobile station has been powered on. Id. The state field says nothing about availability of a service to a device associated with the accessed record. For these additional reasons claim 16 is not anticipated by Oh, and is in condition for allowance.

#### Dependent claim 18

As amended, Claim 18 claims the method of claim 14 where the routing comprises determining an uncommon address identifying a device designated to receive the communications based on attributes of the communications. The Office cites Oh, figure 7, step 92 as disclosing a similar feature. (Office Action, page 13). Oh, figure 7 illustrates the process followed “when a call is placed to the common MIN.” (Oh, Col. 9, lines 64-66). Thus, the method of figure 7 is limited to phone calls. It does not purport to receive service data other than calls. Id. In step 92, the controller identifies the mobile station arranged to respond to the MIN-based termination message (phone call). (Oh, Col. 10, lines 2-8). Thus, the method of Oh, figure 7 does not determine an uncommon address identifying a device designated to receive the service data based on attributes of the communications.

Since the service data in the process of figure 7 is always a call, the system cannot make any determinations based on attributes of the communications because the attributes are always those of a call. Notice that the text describing the process of Oh’s figure 7 makes no mention of determining which device is designated to receive the communications based on attributes of the communications. (Oh, Col. 9, line 64 to Col. 10, line 40). It only speaks of determining which

device is arranged to respond to termination messages. (Oh, Col. 10, lines 3-8). For at least these additional reasons claim 18 is not anticipated by the Oh reference, and is in condition for allowance.

#### Independent claim 19

Amended Claim 19 recites a computer-readable medium comprising second computer executable instructions for causing a computer to modify a record associated with the individual device based on payload data configured to alter services available to the individual device. The Office cites Oh, figure 5, steps 70, 76, and 82 as disclosing the claim limitation. (Office Action, page 10). Steps 70, 76, and 82 of Oh's figure 5 disclose noting in the MIN profile that the mobile station is registered and is located in the system served by a particular MSC. (Oh, Col. 9, lines 18-20, lines 31-34, and lines 44-47). However, the cited steps do not disclose payload data configured to alter services available to the individual device.

The MIN profile (Oh, Fig. 4) is modified during registration to reflect the mobile station's ESN (Oh, Fig. 4, ESN), whether the mobile station is set to respond to a termination message (Oh, Fig. 4, TYPE), whether the mobile station is registered (Oh, Fig. 4, STATE (REGISTERED?)), and the location of the mobile station (Oh, Fig. 4, LOCATION (MSC\_ID)). (Oh, Col. 8, lines 40-47). The MIN profile is not modified based on payload data, where the payload data is configured to alter services available to the individual device. In fact, the MIN profile does not include a record associated with the individual device based on payload data in the incoming signaling word, where the payload data is configured to alter services available to the individual device. Such record cannot be modified if it does not exist.

Moreover, amended claim 19 recites third computer executable instructions for causing a computer to transmit information sent to the network to the individual device depending on the information and the services available to the individual device. Since the MIN profile of Oh, figure 4 does not include a record of services available to the individual device, it follows that Oh cannot

possibly transmit information sent to the network depending on the services available to the individual device.

Oh, column 9, lines 64-66 discusses transmission of information sent to the network. The text makes clear that “when a call is placed to the common MIN, only mobile station 14 will respond.” (Oh, Col. 9, lines 64-66). Oh discloses allowing terminations (information sent to the network) to only one device, one of the mobile stations. (Oh, Col. 1, lines 58-59). In Oh, only one device is allowed to receive and respond to incoming messages. (Oh, Col. 2, lines 8-18). All other devices are blocked or prevented from receiving incoming communications. (Oh, Col. 2, lines 18-28). Therefore, Oh does not disclose making the transmission of information sent to the network to the individual dependent on the information or the services available to the individual device. Oh does not even look at the information being transmitted. It bases all transmissions on which device has been designated to terminate calls. (Oh, Col. 1, lines 58-59, Col. 2, lines 8-29).

For at least these reasons claim 19 is not anticipated by the reference and is in condition for allowance.

Dependent claims 20-22.

Dependent claims 20-22 depend from claim 19 which has been shown to be not anticipated. Thus, for at least this reason, these dependent claims are similarly not anticipated and in condition for allowance.

Dependent claim 21

Claim 21 claims the computer-readable medium of claim 19 the third computer executable instructions comprising fifth computer executable instructions for causing a computer to determine at least one device in the network designated to receive the incoming information based on content of

the incoming information and records in the profile. The office action cites Oh, figure 7, step 92 as disclosing a similar feature. (Office Action, page 13). Oh, figure 7 illustrates the process followed “when a call is placed to the common MIN.” (Oh, Col. 9, lines 64-66). Thus, the process of figure 7 is limited only to phone calls. It does not purport to receive incoming data other than calls. *Id.* In step 92, the controller identifies the mobile station arranged to respond to the MIN-based termination message (phone call). (Oh, Col. 10, lines 2-8). Therefore, the process of Oh, figure 7 does not determine at least one device in the network designated to receive the incoming information based on **content** of the incoming information and records in the profile. Since the service data in the process of figure 7 is always a call, the system cannot make any determinations based on **content** of the incoming information, because the content is always the content of a phone call. Notice that the text describing the process of Oh, figure 7 only speaks of determining which device is arranged to respond to termination messages. (Oh, Col. 10, lines 3-8). The process makes no determinations based on content of the incoming information.

For this additional reason claim 21 is not anticipated by Oh and is in condition for allowance.

### **Claim Rejections 35 USC § 103**

8. Claim 9 was rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent 7,155,226 to Oh, et al. in view of U.S. Patent Application Publication No. 2003/0125072 to Dent.

9. Claim 9 claims the network of claim 1 further comprising a network device including a plurality of common addresses identifying a plurality of networks. The office action rejects claim 9 based on 35 U.S.C. § 103 stating that “Oh discloses all the limitations of parent claim 1.” (Office Action, page 14). However, claim 1 has been shown above to patentably distinguish over the prior art of record. Claim 9 depends from claim 1, and therefore, similarly patentably distinguish over the references. For at least this reason, claim 9 is not obvious, and is in condition for allowance.

**Conclusion**

10. The references cited but not applied have been reviewed and are not believed to teach or suggest the recited features of the respective claims, individually or in combination with each other. Therefore, all claims are in condition for allowance.

**In Summary**

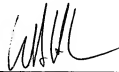
Applicant's attorney would like to thank the Examiner for the careful consideration given this case. In view of the remarks presented above Applicant believes that pending claims 1, 3-7, 9, and 11-22 are in condition for allowance, and notice to such effect is respectfully requested.

Applicants have submitted the statutory fees for the Terminal Disclaimer and extension of time and believe no additional fees are due with this communication. If otherwise determined by the Examiner, the Examiner is authorized to charge or credit deposit account 02-2051 referencing Attorney Docket No. 18587-7.

Respectfully submitted,

Dated: December 28, 2007

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